

**IN THE UNITED STATES DISTRICT COURT OF THE
SOUTHERN DISTRICT OF NEW YORK**

TRACKTHINGS LLC,

Plaintiff,

v.

NETGEAR, INC.,

Defendant.

Case No. 1:21-cv-05440-KPF

**NOTICE OF DEFENDANT NETGEAR, INC.’S MOTION TO DISMISS
FOR IMPROPER VENUE, OR IN THE ALTERNATIVE, TRANSFER**

Pursuant to S.D.N.Y. Local Rule 7.1, Defendant NETGEAR, Inc. (“NETGEAR”) respectfully moves this Court to dismiss Plaintiff TrackThings LLC’s Complaint pursuant to Federal Rule of Civil Procedure 12(b)(3) and 28 U.S.C. § 1400(b) for improper venue, or to alternatively transfer this suit to the Northern District of California in the interest of justice under 28 U.S.C. § 1406(a).

The grounds for this Motion are further set forth in NETGEAR’s Memorandum of Law in Support of its Motion to Dismiss for Improper Venue, or in the Alternative, Transfer as well as in the Declaration of Karen Wu, Declaration of Paul Friday, and Declaration of Naina Soni, exhibits attached thereto, and all other pleadings and proceedings had herein.

Dated: November 5, 2021

Respectfully submitted,

/s/ Joseph M. Drayton
Joseph M. Drayton (JD-8670)
COOLEY LLP
55 Hudson Yards
New York, NY 10001
Telephone: (212) 479-6000
Facsimile: (212) 479-6275
jdrayton@cooley.com

Reuben Chen (*pro hac vice*)
COOLEY LLP
3175 Hanover Street
Palo Alto, CA 94304
Telephone: (650) 843-5000
Facsimile: (650) 849-7400
rchen@cooley.com

Naina Soni (*pro hac vice*)
COOLEY LLP
1299 Pennsylvania Avenue, NW, Suite 700
Washington, D.C. 20004
Telephone: (202) 842-7800
Facsimile: (202) 842-7899
nsoni@cooley.com

Counsel for Defendant
NETGEAR, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 5, 2021, a true and correct copy of the foregoing document was filed with the Clerk of the Court using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Joseph M. Drayton
Joseph M. Drayton